

8043

AGREEMENT

Made this 26th March day of 2002, by and between Soon Sang You, t/a Eastern Thrifty Market, (the Applicant), and Advisory Neighborhood Commission 6B, (the ANC).

WITNESSETH

WHEREAS, Applicant's application for a Retailers' Class "B" license for premises, 1620 A Street, SE, ABC Application # 8043 is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issue of a Retailers' Class "[Type]" Liquor License at the subject premises;

WHEREAS, ANC 6B finds that the sale of single containers of beer, of 40 ounces or less ("singles"), is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter; and,

NOW, THEREFORE, the parties agree as follows:

1. Applicant will prohibit and prevent loitering and panhandling within 100 feet of the establishment by:
 - a. maintaining a "No Loitering/No Panhandling" sign on the outside of the establishment; and,
 - b. posting a sign inside the establishment requesting customers not to contribute to panhandlers; and,
 - c. asking loiterers to move on whenever they are observed outside the establishment; and,
 - d. calling the MPD to remove the loiterers if they refuse Applicant's request to move on; and,
 - e. keeping a written record of dates and times when the MPD is called for assistance; and,
 - f. not installing an outdoor payphone outside the establishment, and by opposing the efforts of any other party to install an outdoor payphone on or adjacent to the establishment.
2. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
 - a. picking up trash, including beverage bottles and cans, on a daily basis, or more often if needed.
 - b. sweeping the outside of the establishment on a daily basis, or more often if needed.

#8043

AGREEMENT

Made this _____ day of February, 1999, by and between Licensee, Soon Sang Yoo t/a Eastern Thrifty Market ("Licensee"), and Advisory Neighborhood Commission 6B ("ANC"), as follows:

WHEREAS, Licensee's initial application or renewal application for a Retailer's Class B license for the premises at 1620 A Street, SE, Washington D.C. 20003, Application #8043-98018P, is now pending before the District of Columbia Alcoholic Beverage Control Board ("ABC Board");

WHEREAS, the premises is within the boundaries of the ANC; and

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance or reissuance of a Retailer's Class B Liquor License at the subject premises;

WHEREAS, the ANC believes that the sale of single containers of beer of 40 ounces or less is associated with alcoholism, and the illegal public consumption of alcohol, which in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and costly trash and litter;

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner;

WHEREAS, the enforcement of health, safety, and security regulations enhances compliance with such regulations, and, in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia;

WHEREAS, Licensee hereby certifies that either it does not owe more than \$100 to the District of Columbia government as a result of any fine, fee, penalty, interest or past due tax, or that arrangements satisfactory to the District of Columbia government have been made with and are being performed by Licensee; and

WHEREAS, Licensee declares that ending the sale of single containers of beer of a particular amount will result in financial hardship and will significantly limit the successful operation of

Licensee's business unless each and every liquor store within five (5) blocks of Licensee also agrees not to sell single containers of beer of the same particular amount.

NOW, THEREFORE, Licensee and ANC agree as follows:

1. Provided that each and every liquor store within five (5) blocks of Licensee agrees not to sell single containers of beer of 32 ounces or more, Licensee agrees not to offer for sale single containers of beer (for consumption off the store's premises) of 32 ounces or more.
2. Licensee will use its best efforts to prevent loitering and panhandling within 100 feet of the establishment by:
 - a. posting a "No Loitering/No Panhandling" sign on the outside of the establishment;
 - b. posting a sign inside requesting customers not to contribute to panhandlers;
 - c. asking loiterers to move on whenever they are observed outside the establishment;
 - d. calling MPD to remove the loiterers if they refuse Licensee's request to move on; and
 - e. not installing an outdoor pay telephone on or adjacent to the establishment, and by opposing the efforts of any other party to install an outdoor pay telephone.
3. Licensee will maintain the immediate environs of the establishment in a clean and litter-free condition by:
 - a. picking up trash, including beverage bottles and cans, on a daily basis; and
 - b. sweeping the outside of the establishment on a daily basis.
4. Licensee will participate in an ABC Board-approved course in alcoholic beverage sales, and file a certificate of successful completion with ANC within sixty (60) days of the date of this Agreement.
5. Licensee will post signs advising its customers to respect the community and that Licensee will not sell to intoxicated persons.
6. Licensee will not sell or deliver alcohol in any form to any

intoxicated person or to any person who appears to be intoxicated, and make an effort to recognize persons who abuse alcohol and not sell alcohol to such persons.

7. Licensee will not sell or deliver alcohol in any form to any person under 21 years of age.

8. Licensee will not provide "go-cups" to customers. A "go-cup" is defined in Section 709.7 of the ABC Regulations as a "drinking utensil provided at no charge or a nominal charge to customers for the purpose of consuming beverages."

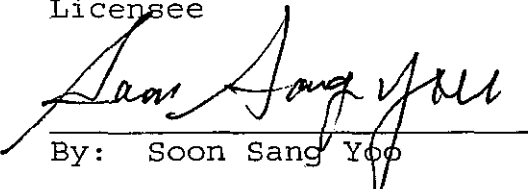
9. In consideration of, and in reliance upon the commitments reflected in paragraphs 1-9, ANC hereby withdraws its opposition to Licensee's pending license application.

10. Licensee will advise all employees of Licensee of the provisions of this Agreement, particularly with respect to the sale of alcohol in any form, and require that all employees adhere to this Agreement.


11. Licensee acknowledges that if Licensee breaches any terms of this Agreement, ANC has the right to petition the ABC Board for issuance of an order to show cause pursuant to D.C.M.R. 1513.5

IN WITNESS WHEREOF, the parties have signed their names below.

Licensee


By: Soon Sang Yoo

ANC 6B


By: Peter Waldron
3-15-99

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of :

Soon Sang Yoo
t/a Eastern Thrifty Market

Application for a Retailer's Class
B License – renewal

1620 A Street, S.E.
Washington, D.C.

Case no. 8043-98018P

Thomas Wells, Chair, on behalf of Advisory Neighborhood Commission 6B, Protestant

Soon Sang Yoo, Applicant

BEFORE: Roderic L. Woodson, Esquire, Chair
Vera Abbott, Member
Ellen Oppen-Weiner, Esquire, Member
Audrey E. Thompson, Member

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

The matter, having been protested, came before the Board for public hearing on April 1, 1998, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Thomas Wells, Chair, on behalf of the Advisory Neighborhood Commission 6B, filed a protest letter dated March 17, 1998.

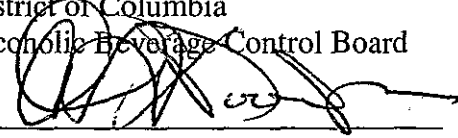
The official records of the Board reflect that the parties have now reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement dated March 15, 1999, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Soon Sang Yoo
t/a Eastern Thrifty Market
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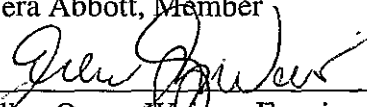
Accordingly, it is this 28th day of JUNE 2000, **ORDERED** that:

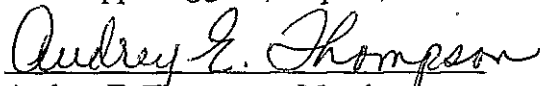
1. The opposition of Thomas Wells, Chair, on behalf of the Advisory Neighborhood Commission 6B, be, and the same hereby, is **WITHDRAWN**;
2. The application of Soon Sang Yoo t/a Eastern Thrifty Market for a retailer's class B license (renewal), located at 1620 A Street, S.E., Washington, D.C., be, and the same hereby, is **GRANTED**;
3. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**; and,
4. Copies of this Order shall be sent to the Protestant and the Applicant.

District of Columbia
Alcoholic Beverage Control Board


Roderic L. Woodson, Esquire, Chair


Vera Abbott, Member


Ellen Oppenheimer, Esquire, Member


Audrey E. Thompson, Member

3. Applicant will not sell or provide cups or single servings of ice.
4. Applicant will maintain the interior and exterior in a clean, well-painted and graffiti-free condition.
5. Applicant will participate in an ABC Board-approved course in alcoholic beverage sales management.
6. Applicant agrees to sell single containers of beer of 40 or fewer ounces ("singles") [pint and half-pint containers of liquor - for Class A licenses] only in clear or translucent plastic bags.
7. Applicant will only sell containers of singles with a sandwich or equivalent food sale [for deli's and sandwich shops].
8. Applicant will sell goods which reflect the community's needs - including but not limited to grocery products, fresh foods, dairy products and household products. Applicant will de-emphasize alcoholic beverages, tobacco products, sweets and snacks.
9. Applicant agrees to stop the sale of singles when all other establishments within a five block radius agree to the same.
10. In consideration of, and reliance upon, the commitments reflected in above paragraphs, the ANC will not oppose the applicant's pending license application.
11. The parties further agree that any failure of Applicant to adhere to the foregoing commitment would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By: Soon Sang You By: Kenan Patrick Jarboe
SOON SANG YOU Kenan Patrick Jarboe
Chair ANC 6B

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